

MESSAGE NO: 5194201 MESSAGE DATE: 07/13/2005

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-428-830

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 03/01/2004 TO 02/28/2005

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTIFICATION OF PARTIAL RESCISSION AND LIQUIDATION OF STAINLESS STEEL  
BAR FROM GERMANY FROM STAHLWERK ERGSTE WESTIG GMBH (A-428-830-005)

MESSAGE NO: 5194201

DATE: 07 13 2005

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 428 - 830

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PERIOD COVERED: 03 01 2004 TO 02 28 2005

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NOTIFICATION OF PARTIAL RESCISSION AND LIQUIDATION OF  
STAINLESS STEEL BAR FROM GERMANY FROM STAHLWERK ERGSTE  
WESTIG GMBH (A-428-830-005)

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON  
STAINLESS STEEL BAR FROM GERMANY (A-428-830), COVERING THE PERIOD  
03/01/04 THROUGH 2/28/05 HAS BEEN PARTIALLY RESCINDED AT THE  
REQUEST OF STAHLWERK ERGSTE WESTIG GMBH. THIS NOTICE OF PARTIAL  
RESCISSION WAS PUBLISHED IN THE FEDERAL REGISTER ON 06/28/2005  
(70 FR 37084). YOU ARE TO ASSESS ANTIDUMPING DUTIES ON  
MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR  
CONSUMPTION

DURING THE PERIOD LISTED BELOW FOR THE CASH DEPOSIT OR BONDING

RATE REQUIRED AT THE TIME OF ENTRY.

STAINLESS STEEL BAR FROM GERMANY

A-428-830 PERIOD: 03/01/04 - 2/28/05

LIQUIDATE ALL ENTRIES FROM:

STAHLWERK ERGSTE WESTIG GMBH (A-428-830-005)

HOWEVER, CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES FOR THE PERIOD LISTED ABOVE FOR:

BGH EDELSTAHL FREITAL GMBH/BGH EDELSTAHL LIPPENDORF GMBH/BGH EDELSTAHL LUGAU GMBH/BGH EDELSTAHL SIEGEN GMBH (A-428-830-001)

2. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

3. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAYS INTEREST ON OVERPAYMENTS OR ASSESSES INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

4. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE

IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O1:ART.

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party